

FILED
U.S. DISTRICT COURT
DISTRICT OF UTAH
BY: [Signature]

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

GERHARD W. GOHLER, IRA, et al.,)	PROPOSED FINAL JUDGMENT AND
On Behalf of Themselves and All)	ORDER OF DISMISSAL
Others Similarly Situated,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
ROBERT L. WOOD, et al.,)	
)	
Defendants.)	
_____)	No. 92-C-181-S

Entered on 8/31/98
by: EBIYE
Y. L. HUI
Deputy Clerk

Scanned ☒ Faxed ☐ Not Faxed ☒

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This matter having come before the Court for hearing, pursuant to the Order of this Court, dated July 6, 1998, on the application of the parties for approval of the settlement set forth in the Stipulation and Agreement of Partial Settlement, dated as of May 21, 1998 (the "Settlement Agreement"), and due and adequate notice having been given to the Settlement Class as required in said Order, and the Court having considered all papers filed and proceedings had herein and otherwise being fully informed in the premises and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Judgment incorporates by reference the definitions in the Settlement Agreement, and all terms used herein shall have the same meanings as set forth in the Settlement Agreement.

2. This Court has jurisdiction over the subject matter of this Litigation and over all parties to this Litigation, including all Members of the Settlement Class.

3. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this Court hereby approves the settlement set forth in the Settlement Agreement without change or modification.

4. For purposes of the Settlement Agreement and this Judgment, a Settlement Class (the "Settlement Class" or "Class") is hereby certified as follows

all persons, including the Representative Plaintiffs, who purchased or otherwise acquired Bonneville stock or convertible subordinated debentures during the period beginning August 15, 1986 through and including November 12, 1991, and who suffered any loss, damage or injury with regard to such purchase or other acquisition. Excluded from the Settlement Class are: Defendants, Former Defendants and Bonneville; members of the immediate family of any Individual Defendant or Former Defendant; any entity in which any of the Defendants, Former Defendants or Bonneville has or had a controlling

interest; directors and officers of Bonneville and the legal representatives, heirs, successors, or assigns of any such excluded person or entity. Also excluded from the Settlement Class are those persons who timely and validly request exclusion from the Settlement Class.

5. The Persons identified on Exhibit 1 hereto have validly and timely requested exclusion from the Settlement Class.

6. This Court hereby dismisses on the merits and with prejudice and without costs the Litigation against Settling Defendants Mayer Brown & Platt, Robert A. Helman and Harvey Nixon.

7. The Court finds that the Settlement Agreement and the settlement set forth in the Settlement Agreement are the product of substantial, good faith, arm's length negotiations of the Settling Parties and are in all respects fair, just, reasonable and adequate to the Settlement Class and the Settling Defendants.

8. Upon the Effective Date hereof each and every Released Claim of each and every Settlement Class Member, whether or not such Settlement Class Member has filed a Proof of Claim and Release, are by operation of this Judgment and shall be deemed to be conclusively fully, finally, and forever released, relinquished and discharged as against the Released Persons, excepting and reserving to the Settlement Class any and all claims and causes of action against the Non-Settling Defendants and any Person other than the Released Persons.

9. The Representative Plaintiffs and all Settlement Class Members are hereby forever restrained, barred, and permanently enjoined from prosecuting, pursuing, or litigating any of the Released Claims against any of the Released Persons in this or any other forum.

10. Upon the Effective Date hereto, each of the Released Persons shall be deemed to have, and by operation of this Judgment shall have, fully, finally, and forever released, relinquished and discharged each and all of the Settlement Class Members and counsel to the Representative Plaintiffs from all claims arising out of, relating to, or in connection with the institution, prosecution, assertion or resolution of the Litigation or the Released Claims, excepting and reserving to the Settling Defendants any and all claims and causes of action against the Non-Settling Defendants or other Persons.

11. The Notice given to the Settlement Class of the settlement set forth in the Settlement Agreement and the other matters set forth therein was the best notice practicable under the circumstances, including the individual notice to all members of the Settlement Class who could be identified through reasonable effort. Said Notice provided due and adequate notice of those proceedings and of the matters set forth therein, including the proposed settlement set forth in the Settlement Agreement, to all persons entitled to such notice, and said Notice fully satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure and the requirements of due process.


12. Without affecting the finality of this Judgment in any way, this Court hereby retains continuing jurisdiction over (a) implementation of the Settlement, the Plan of Allocation and any payment or distribution of the Settlement Fund, including interest earned thereon; (b) disposition of the Settlement Fund; (c) hearing and determining applications for attorneys' fees, costs, expenses and interest (including fees and costs of experts and/or

consultants) in the Litigation; and (d) all parties for the purpose of enforcing and administering the Settlement Agreement and this Judgment.

13. In the event that the Effective Date does not occur, then this Judgment shall be rendered null and void and shall be vacated and, in such event, subject to ¶12.4 of the Settlement Agreement, all orders entered and releases delivered in connection herewith shall be null and void and the parties shall be restored to the status quo with regard to the Litigation as of May 21, 1998, without prejudice to any claims, defenses, or liabilities, including recovery by Mayer Brown & Platt of the Settlement Fund, together with interest thereon pursuant to ¶8.4 of the Settlement Agreement.

14. The Court expressly finds that there is no just reason for delay and the Clerk of the Court is hereby ordered to enter this Final Judgment and Order of Dismissal as a final judgment and order pursuant to Fed. R. Civ. P. 54(b).

DATED: August 28, 1998



THE HONORABLE DAVID SAM
UNITED STATES DISTRICT JUDGE

Submitted by:

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WILLIAM S. LERACH
KEITH F. PARK
BLAKE M. HARPER (#1377)
THEODORE J. PINTAR
STEVEN W. PEPICH



KEITH F. PARK

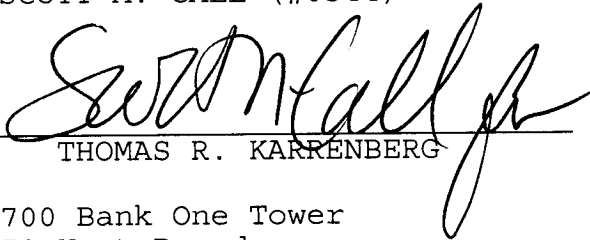
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Co-Lead Counsel for Plaintiffs

ANDERSON & KARRENBURG
THOMAS R. KARRENBURG (#3726)
SCOTT A. CALL (#0544)

A handwritten signature in black ink, appearing to read "Scott A. Call", is written over a horizontal line. Below the line, the name "THOMAS R. KARRENBURG" is printed in a serif font.

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Attorneys for Plaintiffs

RECEIVED D.M.A.

July 16, 1998

JUL 20 1998

CLAIM CENTER

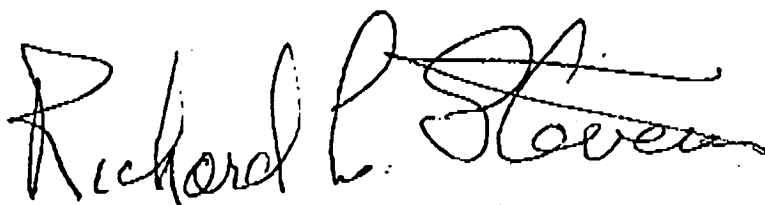
Bonneville Securities Litigation
c/o Gilardi & Co. LLC
P.O. Box 5100
Larkspur, California 94977-5100

I request exclusion from the Settlement Class in the above noted Litigation.

Bonneville Common Stock :

Purchased 100 Shares on 10/29/86 @ \$9 3/8 \$937.50

Sold 100 Shares on 07/10/87 @ \$12 3/8 \$1,237.50

A handwritten signature in black ink that reads "Richard L. Stevens". The signature is written in a cursive, flowing style with a large initial "R".

Richard L. Stevens
1532 S. Swallow St.
Santa Maria, CA 93454-7258
(805) 925-0874

RECEIVED D.M.A.

JUL 27 1998

CLAIM CENTER

July 23 98

Dear Sirs:

In the case of the litigation of
Dohler, et al. v. Hood, et al., No. 92-C-181-S
I wish to be excluded in the
settlement class.

I do not own nor have I ever
purchased Bonnerville Securities to
the best of my knowledge.

Sincerely

Gerald L. Thompson

12230 N.E. 137 Pl.

Kirkland, Wa. 98034

1-425-821-5789

2

RECEIVED D.M.A.

AUG 06 1998

August 1, 1998
Erie, Pennsylvania

CLAIM CENTER

Re: Gohler, et al. v. Wood, et al # 92-C-1845

Bonneville Securities Litigation
Claims Administrator

c/o Gilardi & Co, L.L.C.

P.O. Box 5100

Farkspur, California 94977-5100

3A

Please be advised that I wish to be excluded from the Settlement Class as above, because I have no record of the dates when I purchased 500 shares of Bonneville Pacific Corp. stock nor how much I paid for it. Neither do I have any record of when I sold the stock nor the amount I received for it. It was all handled by my broker, Mr. Kenneth Hansen through Piper Jaffrey, in Salt Lake City, Utah. Since the record is so scanty, I feel that it would be best that I be ~~removed~~ ^{excluded} from the Settlement Class as above. Please handle this in whatever way is most expedient. Thank you.

Page 2

Since the record is so scanty, I feel that it would be best that I be excluded from the Settlement class referred to on page 1.

Please handle this in whatever way is most expedient. Your help is greatly appreciated.

Sincerely,

Earl A. Nelson

743 East 33 Street

Erie, Pennsylvania
16504

3B

RECEIVED D.M.A.

AUG 20 1998

CLAIM CENTER


August 17, 1998

BONNEVILLE SECURITIES LITIGATION
c/o GILARDI AND COMPANY LLC
Post Office Box 5100
Larkspur, California 94977-5100

Dear Sir:

Please be advised that I am in receipt of your notice applicable to the class action suit between Gerhard W. Gohler, Plaintiff and Robert L. Wood, Defendant. This letter will serve as your notification that I do not wish to be included in this claim or the settlement. If there are any questions please let me know.

Yours very truly,



David E. Harrison
680 River Knoll Drive
Marietta, GA 30067
770-953-3481

Attachment

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klh

United States District Court
for the
District of Utah
August 31, 1998

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:92-cv-00181

True and correct copies of the attached were mailed by the clerk to the following:

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